



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Marcos Vicente ARREOLA-Loza,

Defendant.

Mag. Case No. **'08 MJ 8801**

COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Section 1326  
Attempted Entry After Deportation

The undersigned complainant being duly sworn states:

On or about September 1, 2008, within the Southern District of California, defendant Marcos Vicente ARREOLA-Loza, an alien, knowingly and intentionally attempted to enter the United States of America with the purpose, i.e. conscious desire, to enter the United States without the express consent of the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, after having been previously excluded, deported and removed from the United States to Mexico, and not having obtained said express consent to reapply for admission thereto; and committed an overt act, to wit, crossing the border from Mexico into the United States, that was a substantial step towards committing the offense, all in violation of Title 8, United States Code, Section 1326.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

Senior Border Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 2<sup>nd</sup> DAY OF SEPTEMBER 2008.

PETER C. LEWIS  
U.S. MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA  
2 v.  
3 Marcos Vicente ARREOLA-Loza

4 STATEMENT OF FACTS

5 The complainant states that this complaint is based upon the  
6 statements of the apprehending Border Patrol Agent (BPA), R.  
7 Gordon, that the Defendant was found and arrested on or about  
8 September 1, 2008, in Calexico, California.

9 On September 1, 2008, at Approximately 4:30 p.m., BPA Gordon  
10 saw an individual, later identified as Marcos Vicente ARREOLA-  
11 Loza, illegally enter into the United States by crossing the  
12 United States/Mexico International Boundary through the vehicle  
13 exit lanes from the United States into Mexico. BPA Gordon exited  
14 his service vehicle near the intersection of First Street and  
15 Rockwood Avenue in Calexico and began to give chase. BPA Gordon  
16 had constant visual of ARREOLA all the way until ARREOLA reached  
17 the intersection of 3rd Street and Rockwood Avenue. BPA Gordon  
18 was able to detain ARREOLA. BPA Gordon identified himself as a  
19 United States Border Patrol Agent and performed a field  
20 immigration interview. ARREOLA admitted that he was a citizen of  
21 Mexico illegally in the United States. ARREOLA was placed under  
22 arrest.

23 Record checks revealed ARREOLA has a criminal and  
24 immigration record. Record checks also revealed ARREOLA was  
25 previously removed from the United States on December 6, 2004.

26 There is no evidence that the defendant received permission  
27 from the Attorney General of the United States or the Secretary  
28 of the Department of Homeland Security to re-enter the United  
States.